



SIGNED THIS 30th day of August, 2024

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.

A handwritten signature in cursive script, reading "Rebecca B. Connelly".

Rebecca B. Connelly  
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Lynchburg Division**

**In re:**

**GARY MICHAEL BIRD,**

**Debtor.**

**Chapter 7  
Case No. 22-60957**

**HANNAH W. HUTMAN, Chapter 7  
Trustee for the Bankruptcy Estate of Gary  
Michael Bird,**

**Movant,**

**v.**

**SARA A. MOONEY,**

**Defendant.**

**Adv. Pro: 23-6016-RBC**

**ORDER ON TRUSTEE'S SECOND MOTION FOR SANCTIONS**

On August 15, 2024, Hannah Hutman, in her capacity as Chapter 7 Trustee (the “**Trustee**”) for the bankruptcy estate (the “**Estate**”) of Gary Michael Bird (the “**Debtor**”), by and through her

undersigned counsel, filed the *Chapter 7 Trustee's Second Motion for Sanctions Against Co-Tenant Sara A. Mooney* [Docket No. 21] (the "**Motion**"), in the above-captioned Adversary Proceeding<sup>1</sup>. The Court, having considered the Motion submitted by the Trustee and the argument of counsel at the hearing on August 29, 2024 (the "**Hearing**"), and it appearing that due notice was given, and for the reasons set forth on the record at the Hearing, it is hereby

**ADJUDGED, ORDERED AND DECREED:**

1. The Trustee's request for the Court to assess the Interest Sanction against Ms. Mooney is **DENIED**.

2. The Trustee is authorized to deduct \$5,527.55 from the Defendant's interest in the proceeds of the sale of the Property, which consists of the following:

- a. \$4,000 pursuant to the First Sanctions Order; and
- b. \$1,527.55 pursuant to the Second Sanctions Order (collectively the "**Deductions**").

3. After making the Deductions, the Trustee is authorized to distribute to the Defendant the remaining proceeds of her half interest in the Property, after payment of ordinary closing costs, commissions, and liens against the Property. The Trustee is further authorized to retain all remaining proceeds free and clear of all liens, claims, and interests.

4. Notwithstanding any rule to the contrary, this Order shall be immediately enforceable and any stay is hereby waived.

5. This Court shall retain jurisdiction to hear and determine all matters arising from and/or related to the interpretation and/or implementation of this Order.

\*\*\**End of Order*\*\*\*

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<sup>1</sup> Unless otherwise defined herein, capitalized terms shall have the meanings ascribed to them in the Motion.

I ASK FOR THIS:

/s/ Brittany B. Falabella

Brittany B. Falabella (VSB No. 80131)

Kollin G. Bender (VSB No. 98912)

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*Counsel for Hannah W. Hutman,*

*Chapter 7 Trustee for the Bankruptcy*

*Estate of Gary Michael Bird*